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| 7590 Siemens Corporation Attn: Elsa Keller, Legal Administrator Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830 | | | EXAMINER GAY, SONIA L | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/823,901

Applicant(s)

NIERHAUS, FLORIAN PATRICK

Examiner

SONIA GAY

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/22)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

This action is in response to Amendment submitted on 05/13/2010. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Response to Amendment

1. Applicant's amendment filed on November 17, 2009 has been entered. Claims 1, 11, and 21 have been amended. No claims have been canceled. Claims 31 – 35 have been added. Claims 1 -5 and 7 – 35 are still pending in this application, with claims 1, 11, and 21 being independent.

Claim Objections

2. Claims 34 and 35 objected to because of the following informalities: Claims 34 and 35 redundantly recite the limitations and dependencies of claims 30 and 31. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. Claims 1- 5, 7, 8, 11 – 17, 19, 21, 23 – 25, 27, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koch (US 7,412,040) in view of Creamer et al. (US 2004/0267527), and further in view of Saindon et al. (US 6,820, 055).

For claim 1, Koch discloses a conferencing method and system, comprising: receiving first conference-endpoint data from a first conference type identifier specifying a second conference type for a second endpoint participating in a conference with the first endpoint

(column 6 lines 13 – 33) reading conference type identifier from a memory, the conference type identifier specifying a second conference type for a second endpoint participating in the conference with the first endpoint (column 5 lines 45 – 62; column 7 lines 48- 61); determining whether the second conference type is different than the first conference type (column 6 lines 24 – 33); selecting a conversion program based whether the second conference type is different than the first conference type (column 6 lines 24 - 33); reading an endpoint identifier for the first endpoint (column 6 lines 13 – 33); and, initiating execution of the conversion program on the first conference- endpoint data to prepare converted first conference-endpoint data compatible with the second conference type from the first conference-endpoint data (column 6 lines 44 – 61; column 7 lines 13 – 21; column 8 lines 8 - 35). Yet, Koch fails to teach selecting and specifying a conversion parameter for the conversion program based on the endpoint identifier, wherein the conversion program is configured to utilize aiding data to enhance the conversion of the first-conference-endpoint data; and, transmitting the converted conference-endpoint data to the first and second endpoint.

However, Creamer et al. discloses a method for the purpose of conducting real time messaging using voice-to-text reduction wherein both a first endpoint and a second endpoint can receive the converted first conference-endpoint data (*a calling party such as Person A would provide a voice input such as "hello" to a microphone which is subsequently converted to text using a text-to-speech converter. If computing device has a display, the Person A's voice input can be seen as shown, The text can then be transmitted as a text stream to a computing device 66, [0028]) which can be converted using a conversion parameter (a previously recorded voice signature is applied during text-to-speech synthesis, [0026]) and aiding data stored in a profile (*

a voice portal can exist on a remote server having a profile for a particular user that enables such users to convert selected text to alternative text, [0022] [0026] [0027]).

Moreover, Saindon et al. discloses a method for the purpose of processing multimedia wherein first conference endpoint data and converted conference endpoint data is transmitted to the second conference endpoint to allow the second conference endpoint to manipulate the content of the first conference endpoint data while maintaining the integrity of the first conference endpoint data, i.e. providing language translations, searching, copying, printing, etc. (column 1 lines 48 – column 2 line 21; column 12 lines 20 -47, 61 - 35; column 14 lines 14 - 35; column 15 lines 49 - 65; column 16 lines 11 - 23; column 18 lines 49 – column 19 line 64; column 21 lines 31 – 50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Koch with the teachings of Creamer et al. and Saindon et al. so that the text-to-speech conversion process disclosed above in Koch selects and specifies conversion parameters such as those contained within stored voice signatures and aiding data such as text translations contained in a database for the purpose of converting the first-conference endpoint data to data that is compatible with a second conference type to increase accuracy and user satisfaction with performing text-speech/speech-text translations by allowing the characteristics and preferences of the conferees to be conveyed within the text-speech translations; transmit the first conference-endpoint data to the second endpoint for the purpose of maintaining the integrity of the original, first conference endpoint data while allowing the first conference endpoint data to be manipulated; and, transmit the converted first conference endpoint data to both the first and second endpoint for the purpose of conducting real time

messaging, including reviewing the converted first conference endpoint data by the first conference endpoint(Saindon et al., column 15 lines 56 - 65).

For claims 11 and 21, Koch discloses a conference system and computer readable medium (*network translator service*, Fig.2, 200; column 11 lines 27 - column 12 lines 29), comprising: a memory (*data store*, column 5 lines 45 - 62) comprising : a first conference-endpoint data for a first conference type received from a first endpoint (column 5 lines 45 - 62; column 6 lines 34 - 40; column 9 lines 6 - 14; column 9 lines 51 - 61); a conference type identifier specifying a second conference type for a second endpoint participating in a conference with the first endpoint (column 5 lines 29 - 62; column 6 lines 34 - 40); a conversion program operable to prepare converted first conference endpoint data compatible with the second conference type from the first conference endpoint data (column 6 lines 44 - 61) and a processor (*VoiceXML gateway*, column 6 lines 13 - 23) operable to determine whether the second conference type is different than the first conference type and to execute the conversion program when the second conference type is different than the first conference type (column 6 lines 13 - 23). Yet, Koch fails to teach where the processor initiates transmission of the converted first endpoint data to the first endpoint and second endpoint and transmission of the first conference-endpoint data to the second endpoint.

However, Creamer et al. discloses a method for the purpose of conducting real time messaging using voice-to-text reduction wherein both a first endpoint and a second endpoint can receive the converted first conference-endpoint data (*a calling party such as Person A would provide a voice input such as "hello" to a microphone which is subsequently converted to text*

using a text-to-speech converter. If computing device has a display, the Person A's voice input can be seen as shown. The text can then be transmitted as a text stream to a computing device 66, [0028]] which can be converted using a aiding data stored in a profile (a voice portal can exist on a remote server having a profile for a particular user that enables such users to convert selected text to alternative text, [0022] [0026] [0027]).

Moreover, Saindon et al. discloses a method for the purpose of processing multimedia wherein first conference endpoint data and converted conference endpoint data is transmitted to the second conference endpoint to allow the second conference endpoint to manipulate the content of the first conference endpoint data while maintaining the integrity of the first conference endpoint data, i.e. providing language translations, searching, copying, printing, etc. (column 1 lines 48 – column 2 line 21; column 12 lines 20 -47, 61 - 35; column 14 lines 14 - 35; column 15 lines 49 - 65; column 16 lines 11 - 23; column 18 lines 49 – column 19 line 64; column 21 lines 31 – 50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Koch with the teachings of Creamer et al. and Saindon et al. so that the text-to-speech conversion process disclosed above in Koch utilizes aiding data such as text translations contained in a database for the purpose of converting the first-conference endpoint data to data that is compatible with a second conference type to increase accuracy and user satisfaction with performing text-speech/speech-text translations by allowing the personalities and preferences of the conferees to be conveyed within the text-speech translations; transmit the first conference-endpoint data to the second endpoint for the purpose of maintaining the integrity of the original, first conference endpoint data while allowing the first

conference endpoint data to be manipulated; and, transmit the converted first conference endpoint data to both the first and second endpoint for the purpose of conducting real time messaging, including reviewing the converted first conference endpoint data by the first conference endpoint(Saindon et al., column 15 lines 56 - 65).

For claims 2 and 12 , Koch further discloses where the first conference type is a text messaging conference, and where the second conference type is a voice conference (Koch, column 5 lines 1 - 19).

For claims 3, 4, 13, and 23, Koch further discloses where the act of initiating execution of the conversion program comprises initiating execution of at least one of a text-to-speech translator and a speech-to-text translator (Koch, column 6 lines 44 – 61; column 7 lines 13 - 21).

For claim 5, Koch further discloses where the act of transmitting comprises transmitting the converted first conference-endpoint data and a first endpoint identifier to the second endpoint (Koch, column 6 lines 13 – 21, 56 – 61; column 8 lines 8 – 22).

For claim 7, Koch further discloses receiving second conference-endpoint data for the second conference type from the second endpoint; preparing converted second conference-endpoint data; and transmitting the second converted conference-endpoint data to the first endpoint (Koch, column 6 lines 62 – column 7 line 37).

For claim 8, Koch and Creamer et al. further disclose where the act of initiating execution of the conversion program comprises initiating execution of a text-to-speech translator, and further comprising the act of selecting a voice for at least one of the first and second endpoints (Koch, column 6 lines 44 – 61) (Creamer et al., [0022] [0026] [0027]).

For claim 14, Koch further discloses where the conversion program comprises a text-to-speech translator, and where the memory further comprises a speech-to-text translator (Koch, column 6 lines 44 – 61; column 7 lines 13 – 21).

For claims 15, 16, and 24, Koch further discloses where: the memory further comprises second conference-endpoint data for the second conference type received from the second endpoint (Koch, (column 5 lines 45 – 62; column 6 lines 34 – 40; column 9 lines 6 – 14; column 9 lines 51 - 61); and, where the processor executes the text-to speech translator on the first conference -endpoint data to prepare the converted first conference-endpoint data, and executes the speech-to-text translator on the second conference-endpoint data to prepare converted second conference-endpoint data (Koch, column 6 lines 62 – column 7 line 37); and where the processor initiates transmission of the second converted conference-endpoint data to the first endpoint (Koch, column 6 lines 62 – column 7 line 37).

For claims 17 and 25, Koch further discloses where the act of transmitting comprises transmitting the converted first conference-endpoint data and a first endpoint identifier to the second endpoint (Koch, column 6 lines 13 – 21, 56 – 61; column 8 lines 8 – 22).

For claims 19 and 27, Koch and Creamer et al. further disclose where the conversion program is a text-to-speech translator (Koch, column 6 lines 44 – 61), and where the memory comprises voice data for at least one of the first and second endpoints (Creamer et al., [0026] [0027]).

For claim 29, Koch and Creamer et al. further disclose reading an endpoint identifier and establishing aiding data for speech-to-text translation associated with the endpoint identifier (Koch, column 5 lines 29 – 62) (Creamer et al., [0026] [0027]).

4. Claims 9, 10, 18, 26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koch (7,412,040) in view of Creamer et al. (US 2004/0267527), and further in view of Saindon et al. (US 6,820, 055), and further in view of Moore et al. (US 2004/0086100).

For claims 9, 18, 26, and 28, Koch fails to teach where at least one of first conference type and second conference type is at least one of a decentralized text messaging conference and a centralized text messaging conference .

However, Moore et al. discloses a method for the purpose of completing calls by way of an instant communications client where at least one of first conference type and second conference type is at least one of a decentralized text messaging conference and a centralized text messaging conference (Moore et al., [0018] [0021] [0053 – 0055] [0063] [0099] [0100]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Koch with the teachings of Moore et al. so that the text messaging conference disclosed above in Koch is either decentralized or centralized for the purpose of completing calls by way of an instant communications client.

For claim 10, Koch discloses where reading an endpoint identifier comprises: reading a name indicia that identifies the source of the first conference-endpoint data (column 6 lines 44 - 61). Yet, Koch and Cramer et al. fail to teach where: the conversion parameter comprises a voice model conversion parameter that distinguishes between male and female voice production

However, Moore et al. discloses a method for the purpose of completing voice calls by way of an instant communications client wherein the conversion parameter comprises a voice

model conversion parameter that distinguishes between male and female voice production ([0111]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Koch and Creamer et al. with the teachings of Moore et al. so that the conversion parameter disclosed above in Creamer et al. further comprises a voice model conversion parameter that distinguishes between male and female voice production for the purpose of performing the text-to-speech conversion disclosed above in Koch to improve the accuracy of performing speech conversion wherein voice models can be either stored voice signatures with conversion parameters generated by a conference endpoint or voice models with conversion parameters which are selected, but not generated, by the conference endpoint.

5. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koch (US 2006/0146994) in view of Creamer et al. (US 2004/0267527), and further in view of Saindon et al. (US 6,820, 055), and further in view of Smyth et al. (US 7,007,098).

For claim 20, Koch fails to teach a where the processor is further operable to filter, according to a filter criteria, the first conference-endpoint data, the second conference - endpoint data, or both to eliminate endpoint data that would otherwise be communicated to the first endpoint, the second endpoint, or both; and, where the filter criteria comprises an n-loudest filter criteria for the purpose of processing only endpoint data only from n-loudest endpoints connected to a conference , including the first and second endpoints.

However, Smyth et al. discloses a teleconference server with a processor (column 5 lines 43 – 45) where the processor is further operable to filter, according to a filter criteria, the first conference-endpoint data, the second conference - endpoint data, or both to eliminate endpoint data that would otherwise be communicated to the first endpoint, the second endpoint, or both(column 2 lines 35 – 46; column 3 line 51 – column 4 line 2) for the purpose of reducing the use of processor resources (Abstract); and, where the filter criteria comprises an n-loudest filter criteria for the purpose of processing only endpoint data only from n-loudest endpoints connected to a conference , including the first and second endpoints. (Smyth et al., column 2 lines 35 – 46; column 3 line 51 – column 4 line 2)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Koch with the teachings of Smyth et al. for the teleconference server disclosed in Koch wherein the processor is further operable to filter, according to a filter criteria, the first conference-endpoint data, the second conference - endpoint data, or both to eliminate endpoint data that would otherwise be communicated to the first endpoint, the second endpoint, or both for the purpose of conserving the use of processor resources. Additionally, the filter criteria comprise an n-loudest filter criteria for the purpose of processing only endpoint data only from n-loudest endpoints connected to a conference, including the first and second endpoints.

6. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koch (US 2006/0146994) in view of Creamer et al. (US 2004/0267527), and further in view of Saindon et al. (US 6,820, 055), and further in view of Geofroy et al. (US 7,124,163).

For claim 22, Koch fails to teach decoding the first conference-endpoint data with a first Coder/Decoder (CODEC) to obtain decoded first conference-endpoint data; and, negotiating with the second endpoint to determine the specific CODEC for the second endpoint, where initiating preparation includes recoding the decoded first conference-endpoint data by applying a specific CODEC, different than the first CODEC, on the decoded first conference-endpoint data.

However, Geoffroy et al. discloses data/media servers with computer readable mediums encoded with instructions for the purpose of performing a variety of basic and enhanced services in telephony networks or typical data exchange services of the sort which occur over the Internet including transcoding between different codec types by negotiating with the second endpoint to determine the specific CODEC for the specific endpoint, converting text to speech or speech to text (column 2 lines 5 – 20)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Koch with the teachings of Geoffroy et al. to decode the first conference-endpoint data with a first Coder/Decoder (CODEC) to obtain decoded first conference-endpoint data and recode the decoded first conference-endpoint data by applying a specific CODEC, different than the first CODEC, on the decoded first conference-endpoint data for the purpose of providing a conferencing services between disparate communication devices.

7. Claims 30, 32, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koch (US 7,412,040) in view of Creamer et al. (US 2004/0267527), and further in view of Saindon et al. (US 6,820, 055), and further in view of Umpleby et al. (US 2003/0061026).

For claims 30, 32, 34, Creamer et al. discloses that the aiding data includes a translation representative of common vocabulary (Fig.2, 25 and 33; [0027]), yet fails to teach that this translation is a dictionary. However, Umpleby et al. discloses an analogous method and apparatus for the purpose of translating data of one species of generic language into data of another species of the same generic language wherein the translations are comprised within a dictionary (Abstract; [0004] [0005] [0028] [0074 – 0083].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Creamer et al. with the teachings Umpleby et al. so that a dictionary comprises the translation information disclosed above in Creamer et al. for the purpose of converting the first-conference endpoint data to data that is compatible with a second conference type to increase the accuracy and user satisfaction with performing text-speech/speech-text translations by allowing the personalities and preferences of the conferees to be conveyed within the text-speech/speech-text translations.

8. Claims 31, 33, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koch (US 7,412,040) in view of Creamer et al. (US 2004/0267527), and further in view of Saindon et al. (US 6,820, 055), and further in view of Nguyen et al. (US 2004/02818744).

For claims 31, 33, and 35, Koch discloses an identifier of a participant (column 6 lines 13 – 23) and Creamer et al. discloses that the aiding data includes a profile of a participant (Fig.2, 25 and 33; [0027]), yet both fail to teach the profile associated with an identifier. However, Nguyen et al. discloses a method and apparatus for the purpose of establishing a

teleconference wherein participant profiles are associated with and accessed by an analogous identifier (Abstract; [0035] [0047] [0058] [0095]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the teachings of Koch in view of Creamer et al. with the teachings of Nguyen et al. so that the aiding data disclosed above in Creamer et al. comprises an identifier such as disclosed above in Koch which is associated with a person and used for the purpose of accessing the profile to retrieve additional aiding data located in the profile to increase the user satisfaction with performing text-speech/speech-text translations by allowing the personalities and preferences of the conferees to be conveyed within the text-speech/speech-text translations.

Response to Arguments

9. Applicant's arguments with respect to claims 1, 11, 21 with respective dependents have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Umpleby et al., US 2003/0061026.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SONIA GAY whose telephone number is (571)270-1951. The examiner can normally be reached on Monday to Thursday from 7:30 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sonia Gay/
Examiner, Art Unit 2614
July 23, 2010

/William J Deane/
Primary Examiner, Art Unit 2614